



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

May 11, 2005

Deborah Trudell, Treasurer
Nevada State Democratic Party
409 Horn Street
Las Vegas, NV 89107

Response Due Date:
June 10, 2005

Identification Number: C00208991

Reference: Amended October Monthly Report (9/1/04 – 9/30/04), received 5/2/05

Dear Ms. Trudell:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your Amended August Monthly Report (7/1/04 – 7/31/04), received 2/15/05, Amended September Monthly Report (8/1/04 – 8/31/04), received 2/15/05, and Amended October Monthly Report (9/1/04 – 9/30/04), received 5/2/05, disclose receipts totaling \$12,552.01 from the "NV Party Victory Fund," which is a joint fundraising committee affiliated with your committee. The sum of the entries itemized on the memo Schedule A, however, total only \$10,692.82.

Please be advised that a memo Schedule A must be provided to itemize your committee's share of the gross contributions received through the joint fundraiser. The memo schedule should itemize each individual who has contributed an aggregate in excess of \$200 during the calendar year, and provide the amount of unitemized contributions received. In addition, the memo schedule should itemize your committee's share of all contributions from political committees, regardless of amount. 11 CFR §102.17(c)(8)(i)(B) Please clarify this discrepancy.

-Schedule L-B supporting Line 5 of Schedule L of your report discloses \$49,934.72 in disbursements for "Vote by mail literature," which appear to be payments made with 100% Levin funds. A State, district, or local committee of a political party may pay for allocable Federal Election Activity expenses that aggregate \$5,000 or less in a calendar year entirely with Federal funds,

entirely with Levin funds, or may allocate the disbursements between Federal and Levin funds. However, disbursements for allocable Federal Election Activity that exceed in the aggregate \$5,000 in a calendar year, may be paid for entirely with Federal funds or may be allocated between Federal funds and Levin funds, but may not be paid for entirely with Levin funds. Since the reports you have filed with the Commission this year indicate that disbursements made for allocable Federal Election Activity exceed \$5,000, it appears you have used impermissible funds to pay for this allocable Federal Election Activity. 11 CFR §300.32(c)(4)

Please be advised that 11 CFR §102.5 prohibits a non-federal or Levin account from financing activity in connection with federal elections. The Commission recommends that you immediately transfer the federal portion of this allocable Federal Election Activity to your non-federal or Levin account and disclose this transaction as a transfer-out on Schedule B supporting Line 22 of the Detailed Summary Page, and as a receipt on Schedule L-A supporting Line 2 of Schedule L, or provide clarifying information regarding these apparent impermissible payments.

Although the Commission may take further legal action regarding the activities conducted by your non-federal or Levin account, any clarifying information that you can provide will be taken into consideration.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1148.

Sincerely,

Brandis L. Zehr

Brandis L. Zehr

Campaign Finance Analyst
Reports Analysis Division

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